

Application No. 10/798,459Client Reference No. N0184US**REMARKS****I. Status**

Claims 1-21 and 42 have been previously canceled. Accordingly, claims 22-41 and 43-52 are currently pending.

**II. Rejections Under 35 U.S.C. § 103**

Claims 22-24, 28, 30-32, 34-35, 41, 45-47, 49, and 51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. (U.S. 6,401,033)<sup>1</sup> in view of Trovato (U.S. 6,183,364). Claims 25, 27, 33, 36, 38-40, and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Koller, et al. ("Virtual GIS," IEEE: 1995). Claims 26 and 37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. in view of Trovato, Koller, et al., and in further view of Freedman ("Map Quests," Wired: 2/2004). Claims 29 and 44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Freedman. Claim 48 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Yang, et al. (US 2002/0198694). Claim 50 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Halt, et al. (U.S. 6,343,301).<sup>2</sup> Claim 52 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Paulauskas, et al. in view of Trovato and in further view of Streets of SimCity (Wikipedia reference).

<sup>1</sup> U.S. Pat. No. 6,401,033 is assigned to the assignee of the present application. To the extent permissible by law, any remarks in this response about the '033 patent should not be construed as limiting or narrowing the scope of the claims thereof.

<sup>2</sup> U.S. Pat. No. 6,343,301 is assigned to the assignee of the present application. To the extent permissible by law, any remarks in this response about the '301 patent should not be construed as limiting or narrowing the scope of the claims thereof.

Application No. 10/798,459Client Reference No. N0184USClaim 22 and Dependents

Claim 22 recites, *inter alia*, "wherein the second dataset is used in the computer game that depicts the real geographic locale as part of the play scenario of the computer game, the play scenario including a predetermined theme that governs game play of the computer game." None of the cited references, alone or in combination, discloses at least these features.

Paulauskas, et al. disclose a system for providing entertainment and information to passengers and a driver while driving to make the experience of traveling in an automobile more pleasant. (Paulauskas, et al., column 1, lines 55-58). The system disclosed uses geographic data, which is used for navigation, to provide games while driving. (Paulauskas, et al., column 5, lines 32-57). The system provides games that allow the driver to maintain focus on driving and the road while being entertained, such as a sign alphabet game or a trivia game.

Trovato discloses the use of two dimensional maps to create an electronic environment. (Trovato, column 2, lines 10-40). The electronic environment is used to control avatars that represent user personas in a virtual world. (Trovato, column 3, lines 57-58).

Neither Paulauskas, et al. nor Trovato discloses a computer game having a "play scenario." Trovato merely discloses a virtual world to control avatars that represent user personas, such as a second-life simulation, in which a person may act out activities. There is no teaching or suggestion of a scenario or predetermined theme that governs game play, such as gaming that allows a user to play in a preset storyline.

Furthermore, the Examiner asserts that it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have incorporated the teaching of Trovato into the system of Paulauskas, et al. (Final Office Action, page 9). However, if Paulauskas, et al. were modified to perform the environment growing methods of Trovato, Paulauskas, et al. would be changed beyond its principle of operation. (See MPEP § 2143.02, part VI). For example, the programs and logic of Paulauskas, et al. may have to be changed dramatically to create and/or accommodate the enhanced environments of Trovato. Paulauskas, et al. disclose retrieving navigation information from a navigation system to provide a

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fun driving experience, such as providing trivia, and modifying Paulauskas, et al. with the teachings of Trovato goes beyond its principle of operation.

Accordingly, claim 22 is allowable. Claims 23-33 depend, directly or indirectly, from allowable claim 22 and, therefore, are allowable for at least the same reasons.

#### Claim 34 and Dependents

Claim 34 recites, *inter alia*, "providing the second dataset and a geographic data tool set for developing a computer-game that depicts a real geographic locale as part of a play scenario" and "wherein the geographic data tool set is configured to extract all data corresponding to a sub-area from the second dataset based on a location input." None of the cited references, alone or in combination, discloses at least these features.

The arguments above in regards to claim 22 also apply to claim 34.

Furthermore, there is no teaching of providing a geographic data tool set that is configured to extract all data corresponding to a sub-area from the second dataset based on a location input. Column 3, lines 26-32 of Trovato mention that user choices can trigger a game supervision system to choose a new part of an electronic map and trigger an environment grower to grow some more environment. However, there is no teaching of extracting all data corresponding to a sub-area based on a location input, let alone a location input. The reference merely mentions that a new part of a map may be chosen based on user choices, but there is no disclosure or explanation of what the user choices are. A part of a map may be chosen based on content or other criteria rather than a location input.

Additionally, there is no mention of extracting all data corresponding to a sub-area. Trovato merely mentions that a part of a map may be chosen to grow more environment, but that is not the same as extracting all data corresponding to a specific sub-area (based on a location input). For example, the grower may need only certain type of information or data, not all data, to perform the growing operation in an area.

Accordingly, claim 34 is allowable. Claim 47 depends from allowable claim 34 and, therefore, is allowable for at least the same reasons.

Application No. 10/798,459Client Reference No. N0184USClaim 35 and Dependents

Claim 35 recites, *inter alia*, "providing a second set of data from the source database and a geographic data tool set to a second developer, the second set of data stored in a second computer-readable medium, wherein the second developer uses the second set of data and the geographic data tool set to develop computer games, wherein the second set of data represents at least some of the geographic features in the region as part of play scenarios of the computer games" and "wherein the geographic data tool set provides a spatial search function that retrieves data representing all road segments in a sub-area from the second set of data based on a location specific query that identifies the sub-area." None of the cited references, alone or in combination, discloses at least these features.

The arguments above in regards to claim 22 also apply to claim 35.

Furthermore, there is no teaching of providing a geographic data tool set that provides a spatial search function that retrieves data representing all road segments in a sub-area from the second set of data based on a location specific query that identifies the sub-area. Column 3, lines 26-32 of Trovato mention that user choices can trigger a game supervision system to choose a new part of an electronic map and trigger an environment grower to grow some more environment. However, there is no teaching of a spatial search function. Trovato merely mentions that a new part of a map may be chosen based on user choices, but there is no disclosure or explanation of what the user choices are. A part of a map may be chosen based on content or other criteria rather than a spatial search. There is no disclosure of a location specific query that identifies a sub-area.

Additionally, there is no mention of retrieving data representing all road segments in a sub-area from the second set of data. Trovato merely mentions that a part of a map may be chosen to grow more environment, but that is not the same as retrieving data representing all road segments in the sub-area, let alone retrieving any data representing road segments. For example, the grower may not even use road segment data records, let alone all road segment data records, in a sub-area to perform a growing function. Trovato does not even mention road segments.

Accordingly, claim 35 is allowable. Claims 36-41 and 43-46 depend from allowable claim 35 and, therefore, are allowable for at least the same reasons.

Application No. 10/798,459Client Reference No. N0184USClaim 48

Claim 48 recites, *inter alia*, "providing the second dataset and a geographic data tool set for developing a computer-game that depicts a real geographic locale as part of a play scenario" and "wherein the geographic data tool set is configured to request data representing road segments within a selected area from the second dataset as a function of a spatial query, the spatial query defining the selected area, and wherein the selected area is defined by a longitude and latitude point and a radial distance from the longitude and latitude point." None of the cited references, alone or in combination, teaches or suggests at least these features.

The arguments above in regards to claims 22 and 35 also apply to claim 48.

Furthermore, Yang, et al. disclose systems and methods for geographically based analyses of traffic being carried over a wide scale traffic network. (Yang, et al., Abstract). A GIS database manager 12 may be used to query the GIS database, such as to process traffic variables. (Yang, et al., paragraph [0033]).

However, even if one of ordinary skill in the art would have combined the teachings of Yang, et al. with the teachings of Paulauskas, et al. and Trovato, there is still no disclosure of providing a geographic data tool set configured to request road segment data as a function of the spatial query to develop a computer-game. For example, the GIS database manager of Yang, et al. may be used by a map developer that maintains a navigation database, but the references do not disclose or suggest that such a feature or toolset is *sent with* a geographic or navigation dataset to develop a game that depicts a real geographic locale as part of a play scenario, let alone a second-life simulation, like in Trovato.

Accordingly, claim 48 is allowable.

Claim 51 and Dependents

Claim 51 recites, *inter alia*, "providing the dataset and a geographic data tool set for developing a computer-game that depicts the roads in the real world geographic locale as part of a play scenario of the computer game" and "wherein the geographic data tool set is configured to request data representing road segments within a selected area from the dataset as a function of a spatial query, the spatial

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query defining the selected area." None of the cited references, alone or in combination, teaches or suggests at least these features.

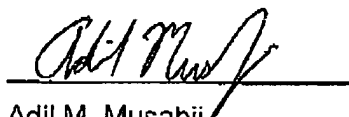
Neither Paulauskas, et al. nor Trovato discloses a computer game having a "play scenario," as mentioned above in regards to claim 22. Also, the feature of providing the geographic data tool set configured to request road segment data as a function of the spatial query is not disclosed, as discussed above in regards to claim 35.

Accordingly, claim 51 is allowable. Claims 49-50 and 52 depend from allowable claim 51 and, therefore, are allowable for at least the same reasons.

### III. Summary

It is respectfully asserted that all of the pending claims are patentable over the cited references, and allowance of the pending claims is earnestly solicited. If the Examiner believes that a telephone interview would be helpful in resolving any outstanding issues, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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